IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

THURSDAY, THE 15TH NOVEMBER 2007 / 24TH KARTHIKA 1929

WP(C).No. 11220 of 2007(I)

PETITIONERS:
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1. **K.DEVU,PADIKALATTY HOUSE,ERANJOLI P.O, THALASSERY TALUK,KANNUR DISTRICT.**

2. **PADIKKALETTY RAMAKRISHNAN,PADIKKALETTY HOUSE,ERANJOLI P.O,THALASSERY TALUK,KANNUR DIST.**

3. **PADIKKALETTY RAJALEKSHMI,PADIKKALETTY HOUSE,ERANJOLI P.O,THALASSERY TALUK,KANNUR DIST.**

4. **PADIKKALETTY SATHI,PADIKKALATTY HOUSE, ERANJOLI P.O,THALASSERY TALUK,KANNUR DIST.**

5. **PADIKKALETTY SURENDRAN, PADIKKALATTY HOUSE,ERANJOLI P.O,THALASSERY TALUK, KANNUR DISTRICT.**

6. **PADIKKALETTY PADMANABHAN, PADIKKALATTY HOUSE,ERANJOLI P.O,THALASSERY TALUK, KANNUR DISTRICT.**

7. **PADIKKALETTY SOBHA, PADIKKALATTY HOUSE,ERANJOLI P.O,THALASSERY TALUK, KANNUR DISTRICT.**

8. **PADIKKALETTY PRAKASHAN, PADIKKALATTY HOUSE,ERANJOLI P.O,THALASSERY TALUK, KANNUR DISTRICT.**

9. **PADIKKALETTY PREETHA, PADIKKALATTY HOUSE,ERANJOLI P.O,THALASSERY TALUK, KANNUR DISTRICT.**

10. **PADIKKALETTY PRADEEPAN, PADIKKALATTY HOUSE,ERANJOLI P.O,THALASSERY TALUK, KANNUR DISTRICT.**

BY ADV. SRI.SERGI JOSEPH THOMAS

RESPONDENTS:
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1. **THE DISTRICT COLLECTOR,KANNUR.**

2. **THE SPECIAL TAHSILDAR,LAND ACQUISITION (N.H),KANNUR.**

R1 & R2 BY GOVERNMENT PLEADERSRI.BASANT BALAJI

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 15/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONERS EXHIBITS:

EXT.P1: COPY OF AWARD NOTICE NO.16/99 DATED 29.7.1999 PASSED BY THE 1ST RESPONDENT.

EXT.P2: COPY OF SEC.18 APPLICATION DATED 6.9.1999 SUBMITTED BY THE PETITIONERS.

TRUE COPY

P.A TO JUDGE

K.PADMANABHAN NAIR,J

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W.P.(C).No.11220 of 2007

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Dated this the 15th day of November, 2007

JUDGMENT

The grievance of the petitioners is that though they filed a petition under Section 18 of Land Acquisition Act in time, the Land Acquisition Officer did not refer the matter to the competent court for considering the claim of enhancement. Learned Government Pleader filed a statement stating the fact that the petitioners had filed an application in time but subsequently the same was misplaced. It is submitted that in case the petitioners produce a copy of the above application, the matter can be referred to the sub court. The petitioners have produced Ext.P2 copy of the petition filed by them before the Land Acquisition Officer. The learned Government Pleader shall make available a copy of Ext.P2 to LAO and the LAO shall treat the same as a true copy of the application already filed by the petitioner and dispose of the same in accordance with law. A decision in the matter shall be taken within three months from the date of receipt of a copy of this judgment.

K.PADMANABHAN NAIR, JUDGE

dvs